

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Anthony Lindsay

v.

Case No. 19-cv-1101-PB

Warden, Federal Correctional
Institution, Berlin, New Hampshire

ORDER

No objection having been filed, I herewith approve the Report and Recommendation of Magistrate Judge Andrea K. Johnstone dated February 26, 2021, grant the Warden's motion to dismiss (Doc. No. 8) and dismiss Lindsay's petition (Doc. No. 1), without prejudice to his ability to refile claims against a proper respondent in the district in which he is incarcerated. "[O]nly those issues fairly raised by the objections to the magistrate's report are subject to review in the district court and those not preserved by such objection are precluded on appeal." School Union No. 37 v. United Nat'l Ins. Co., 617 F.3d 554, 564 (1st Cir. 2010) (quoting Keating v. Secretary of Health & Human Servs., 848 F.2d 271, 275 (1st Cir. 1988)); see also United States v. Valencia-Copete, 792 F.2d 4, 6 (1st Cir. 1986) (after proper notice, failure to file a specific objection to magistrate's report will waive the right to appeal).

/s/Paul Barbadoro

Paul Barbadoro
United States District Judge

Date: April 21, 2021

cc: Anthony Lindsay, pro se